

ORIGINAL

GREEN DUWAMISH ECOSYSTEM RESTORATION STUDY OPEN HOUSE AND SCOPING MEETING

Location:

Tukwila Community Center

Tukwila, Washington

January 20, 1999

6:30-9:00 P.M.

Reported by:

TIM BELLISARIO, CCR, RPR

1 (The following is a record of "Formal Testimony"
2 portion of the public scoping meeting.)

3
4 COL. CONTE: Let's go ahead and start here.
5 Before you start your testimony, please state your full
6 name and address for the record, please.

7 MR. MOYER: My name is Lou Moyer. I live
8 at 11917 84th Avenue SE, which is Seattle.

9 I haven't seen much mention of recreation. I
10 think that needs to be put into context here. This is the
11 only city of Seattle with a river, there's only one; it's
12 the Duwamish. It's kind of the core of the City of
13 Tukwila, by Southcenter. And when we tell them it's the
14 whole river core, they're kind of surprised to find out.

15 The Green River traditionally is considered a
16 clean, good, recreational river. It's relatively safe.
17 The Gorge is clean. Cleaning the river bottom means less
18 woody debris. Woody debris is needed and important for
19 ecological and environmental reasons. But it's already
20 been placed in several places by King County on some of
21 our river systems. And at least it could have been done
22 better with less hazard to boaters. And, more
23 importantly, non-trained boaters.

24 Most of the people that I deal with -- I'm in
25 that business -- they look at some of that stuff and they

1 say, "My God, who did that?" They go around and there's
2 no growth. But the low water flows in the middle of
3 summer when just the local kids drag their inner tubes
4 down there, some of the stuff so far has been a bit bad.

5 So I think there needs to be some of that
6 recognition in there. There's been some proposals to set
7 loose debris from the Howard Hanson Dam, which would be a
8 more natural situation. I think that has to be done real
9 carefully.

10 The Green River Gorge, which I don't think has a
11 lot of salmon habitat potential, because it's kind of a
12 gorge, anyway, is a very popular white water run. But if
13 the word gets around when there's a log in there, and if
14 it's frequent, probably we would just lose it. I think
15 most people would realize it's no longer a good run, and I
16 think that would be a loss to us here.

17 Another thing I just can't understand is why we
18 can't have recreation into the watershed, the closed area,
19 now. It's kind of hard for me to believe that you can't
20 hike or paddle in there, but you can log. And you can't
21 hike and paddle because it's a threat to drinking water.

22 I think non-consumptive uses, or not consumptive
23 uses like fishing and hunting, with reasonable regulation,
24 could be done. And look at the tremendous resource. I
25 don't want it exploited badly, but golly, why not open

1 that up as well?

2 And that's about all. I suppose someone admired
3 this facility. I do, too. But just look what we got, a
4 multi-billion dollar recreational facility on a river.
5 The river is used for almost pitiful access; a little
6 trail, but nothing else, when that could have been
7 incorporated in this sort of thing, too. A relatively
8 inexpensive way to add recreation to some of these
9 projects.

10 COL. CONTE: Thanks. Rick Harpster?

11 MR. HARPSTER: Thank you. My name is Rick
12 Harpster. I live at 4553 S. 170th. And I guess the
13 reason I brought up this maintenance issue is because I am
14 kind of representing some people that couldn't come here
15 tonight. And they live at approximately 216th in Kent,
16 pretty much on this river.

17 And right up above them there's a proposed
18 project of 680 homes going in. And they will be moving
19 around 400,000 cubic feet of dirt, which I'm told that's
20 about 40,000 dump truckloads of dirt. And they're doing
21 this based on a DNS, which is a Designation of
22 Nonsignificance.

23 This happens to be within about a thousand feet
24 of a landfill, which I'm not sure what the name of it is,
25 but it's right up there on Military. And that landfill

1 got bad enough to where it was then determined to be
2 reported in and considered a superfund. And I believe
3 that's where it gets on a national priority list for
4 cleanup.

5 I believe that report that we have indicates the
6 failing level of containment. The groundwater at this
7 point is contaminated. The people that live below that,
8 to the best of my knowledge, are on bottled water and have
9 been recommended by certain individuals elsewhere.

10 That's why I brought up maintenance. Because if
11 we're going to all this trouble and they take out that
12 aquifer and put these homes on contaminated land, I'm
13 afraid that whatever is up there on that hillside will
14 definitely leak down into that river and be a big problem.
15 There's all kinds of documentation to this effect. It can
16 be pretty much substantiated. And I'll stick around a
17 little afterward if anybody would like to ask me any
18 questions about that.

19 So I encourage you, let's look at that
20 carefully, please. Thank you.

21 COL. CONTE: Thank you, Rick. Michelle
22 Nagle?

23 MS. NAGLE: My name is Michelle Nagle. I
24 live at 22801 190th SE, Renton, but my home is in
25 unincorporated King County.

1 I was going to come up here tonight with a big
2 story about what's going on just north of my property,
3 because I wanted to expose this activity to regular,
4 everyday people and to government officials, because this
5 represents -- if you were to take this isolated incident
6 and then put it in the aggregate, or the whole picture,
7 this is one of the reasons why we're at this point right
8 now with our habitat, or with our salmon, you know,
9 failing to reproduce, failing to get up onto the spawning
10 areas; the whole nine yards.

11 First of all, I want to thank King County for
12 giving us the opportunity to make comment. And I applaud
13 the proactive approach that is being taken with this
14 project. To this gentleman over here, I used to sit on
15 the Solid Waste Advisory Committee. I can give you some
16 information. I believe you're referring to the Midway
17 Landfill, and you're right on. So let's be honest right
18 up front, okay?

19 Everyone knows this region is exploding
20 population-wise. And what's going on is we have a lot of
21 people that have moved into this area, and decided it
22 doesn't seem to meet their criteria for, let's say, a
23 good, healthy lifestyle.

24 I live out towards Maple Valley. I have
25 five-and-a-quarter acres. And these individuals who have

1 decided that they don't like the noise, pollution,
2 everything that goes with an area deteriorating
3 environmentally, have moved out to my area. And what's
4 going on is they're bringing their perception of the
5 single-family residence with them -- meaning no trees, and
6 I want a putting green yard. And in response to that, the
7 builders giving them what they want.

8 So the situation that I believe is going on with
9 me or on my property right now is that the builder has
10 chosen to build each individual house one at a time. This
11 gives them an advantage in the County not having an
12 overall review of all the properties that are going to be
13 developed in the future. Thus, there's no environmental
14 review, such as grading. Where is the water being
15 sloughed off to? Also, setbacks in maybe sensitive areas
16 that -- it was a sensitive area; it's not a sensitive area
17 anymore, it's been all filled in. And some of it was done
18 permitted and some of it was done unpermitted.

19 So then also, there's not a review on the
20 natural vegetation that was there to slow water down, and
21 to also support a habitat with a diverse animal
22 population; things of that nature.

23 So essentially, as this process is going on, I
24 have become invisible. All this water and its
25 accompanying pollutants, as these people put in their

1 putting green yards -- make sure we've got lots of roots
2 because we don't want any weeds; so we put lots of turf
3 builder -- I become invisible. And problems that are
4 coming onto my property, I have no recourse except civil
5 action.

6 Unfortunately, I'm going through a divorce right
7 now and my pockets have holes in them and I don't have the
8 money. So I decided to maybe use this venue to bring my
9 problem to light, but also to connect it with this ongoing
10 process of developing a plan with, what I'm seeing, the
11 word is "restore." I'm afraid this is kind of putting the
12 cart before the horse.

13 First, you have to have the habitat, like this
14 gentleman said, to maintain what it is you're trying to
15 restore, because that's a waste of money. If you sit
16 there and say, "We're going to restore," but you can't
17 restore if it's continually being degraded. Because this
18 type of holes in the codes exist.

19 So just a really quick overview at how the codes
20 concerning the grade have failed me. We go to just their
21 grading regulations right here, from King County, in
22 Section 16.82.010: "Purpose." I think we kind of called
23 that mission statement. Then you start with No. 1,
24 "Minimizing Adverse Storm Impacts Generated By the Removal
25 of Vegetation and Alteration of Landforms."

1 Okay. The land was totally graded, trees taken
2 off; maybe a few tress that would have been a bit of a
3 hassle to get out. But overall, all the vegetation was
4 graded through these individual parcels of land; graded
5 to, of course, water running off of each parcel into what
6 used to be a stream bed.

7 No. 2, "Protecting Water Quality From the
8 Adverse Impacts Associated With Erosion and
9 Sedimentation." And here, we are talking about these very
10 things. And the stream, if you take the aggregate of all
11 these houses being built one at a time, draining onto my
12 property, sedimentation is occurring, plugging up my pipe
13 under my road. And also, one thing that needs to be
14 brought out is the contamination of that sedimentation, as
15 these people fertilize their yards. They have, of course,
16 driveways with their vehicles, oil. And what's very
17 interesting is the County comes in, and their idea of
18 maintaining this road they claim they don't maintain is
19 they bring in the street sweepers that have picked up all
20 the gravel off the roads. And, of course, the oil with
21 it, and then deposit it on our road. So I don't think
22 that's a very smart thing to do.

23 No. 3, "Minimizing Terrestrial Wildlife Habitat
24 Loss Caused By the Removal of Vegetation." And the whole
25 law is nothing less -- this particular statement "to

1 minimize." I'm sorry. The whole law actually maximizes
2 the ability for this builder to take off the vegetation.
3 I'm sorry. I could go on and on. I don't think you want
4 to hear me go through all this.

5 But, of course, one of the things that's going
6 to polarizing with this particular project is, of course,
7 land values. And I've loss probably a half acre of forage
8 for my horses. This area used to get dry, seven days
9 worth of no rain, you could actually kick up a little
10 dust. No more. This was an underground water source, and
11 nature is transient because it's a glacial fill,
12 basically, the area is.

13 Now that all this building has gone on, this
14 water has moved over to my land. And now I have a
15 wetland, which really doesn't bother me too much. But
16 unfortunately, with a piece of property up for sale, and
17 given what I've seen happen when the property around me
18 does have wetland, the first thing that happens, the
19 bulldozers come in and raise it, because we don't want to
20 deal with the regulations.

21 And so lost value. Somebody will perceive land
22 as being less valuable. Because it's got a wetland, it's
23 going to be problems. And then, of course, lost forage
24 for my horses.

25 COL. CONTE: Could I ask you to wrap it up?

1 MS. NAGLE: Okay. What I wanted to say is,
2 I have an invitation for anyone that wants one to come out
3 to my property. What I'm doing is offering the Corps of
4 Engineers, King County, access to my property to study it.
5 It has everything. If anybody here wants to come out and
6 look at it and learn from it, please feel free to. The
7 invitation has a map to my place. And I'll be making more
8 comments later, probably in Renton.

9 Thank you very much, again, for this opportunity
10 to bring my perception of what's going on to your review.
11 Thank you.

12 COL. CONTE: Thank you, Michelle. If you
13 didn't get to say anything, you're welcome to send in
14 written comments.

15 Aaron Paso?

16 MR. PASO: My name is Aaron Paso. My
17 mailing address is 9010 38th Avenue South. Additionally,
18 I have property in Tukwila on the Green River at 6455 S.
19 144th Street.

20 I've really got to give kudos to the Corps of
21 Engineers and all the other people who have worked hard on
22 habitat restoration projects. I'm really pleased to see
23 that some of these early implementation projects including
24 the Black River estuary project.

25 I do have some concerns with erosion and just

1 want to express those.

2 Additionally, one of my pet dreams would be to
3 have the Black River reconnected to Lake Washington. I
4 spoke a little bit about that to the Corps of Engineers.
5 I think it would provide an opportunity for salmonids to
6 have direct access to Lake Washington. A small channel,
7 taking probably no more water than the current fish
8 ladder, could be constructed parallel to the existing
9 wetland area that is now used for storm control, and
10 brought around the north end of the storm control
11 structure; some sort of a little levy to separate the
12 storm control waters from the one that goes into Lake
13 Washington.

14 Additionally, this can provide some recreation
15 opportunities for canoeists, kyakers, and perhaps a
16 channel for large or small boaters also.

17 I would like to see some canoe and kayak
18 launches put in, maybe one here and maybe associated with
19 some of the other projects, because I take little trips up
20 and down the river, and it's nice to take the wife or
21 family and their children and show them some wildlife.
22 We've got otters; we've got coots; we've got loones; we've
23 got all kinds of little critters swimming around here. If
24 you sort of go slow and take your time and look, you'll
25 see a lot of wildlife.

1 This large wooded debris project is a good idea,
2 except I do have to agree with that gentleman; be a little
3 bit cautious about where they're placed as far as -- I
4 know I've hit some pretty big snags out here. Some of it
5 was the stuff that was placed right here. I came up and
6 broke my propeller one time on that stuff. I just
7 couldn't get around it, and it was low water and, klunk,
8 there she went. So I think that issue needs to be looked
9 at.

10 Also, a lot of woody debris that was put in came
11 down and tore some stuff loose at our property. The locks
12 with the chains that were just put in there, they're out
13 there somewhere, and the Corps is probably picking them
14 up, or somebody else is picking them up with their boats.
15 So that stuff works, but they have got to chain them down
16 or something. Because otherwise, if you got a boat tied
17 up out here, it's going to wipe the thing out. And we
18 have boats down at the marina down here, and we're
19 constantly having to fetch stuff that comes down the river
20 out, because otherwise it wrecks us.

21 And that's about it. I just think everybody is
22 doing a good job. I just hope that people do keep in mind
23 peoples' property rights as far as, I don't want to be
24 left with a piece of property I can't use because my
25 development rights and environmental restrictions have

1 become so restrictive we can't do anything, which it's
2 almost there. And it's really frustrating to find out you
3 can hardly even mow your own lawn if you got a lawn close
4 to the Green River area.

5 So I want to express the concern. If you guys
6 want to come in and put some woody debris, as long as you
7 leave me a little access so I can get to and from shore
8 with a small boat and have a place to get in and out,
9 fine, come and put the stuff in. I'm a sport fisherman; I
10 love fish. But at the same time, I have to cover my
11 backside as far as -- I don't want to be a riverfront
12 owner with no riverfront anymore. Thank you.

13 COL. CONTE: Rob Shogren?

14 MR. SHOGREN: Rob Shogren, P.O. Box 113,
15 Mineral, Washington.

16 I did not expect to be speaking here tonight.
17 I'm an instructor at Green River Community College, and I
18 teach streams, wetlands, and wildlife. And one of the
19 things that I'm hearing here is that a lot of people don't
20 realize there's winners and losers in all this. And no
21 matter what you do, you have winners and losers. And
22 we're talking about \$100 million.

23 Now, habitat restoration is a fine point of view
24 or ability to change some of this destruction that's
25 taking place. But I want to remind you that this is the

1 stream and this is the Puget Sound. And these are all
2 your upland areas, which -- let's say the highlands. Over
3 here is in the Federal Way area. And the development in
4 those areas are extensive, but it's not that bad. But you
5 get down here along Riparian zones, what do you have? You
6 have Renton; you have Kent; you have Auburn. They're
7 placed right in the middle of your Riparian zones.

8 Now, why is it that these upland areas are not
9 developed out of the Riparian zones? We're going to spend
10 \$100 million for a study. I was involved in timber
11 industries since 1972. And at one point in time when I
12 was working in the woods, I was asked to make payments for
13 my college degree. So I had to work cleaning streams. We
14 removed everything out of a stream by the request of the
15 Department of Natural Resources. When I say "everything,"
16 I mean the needles, the twigs, the large, wide debris,
17 everything.

18 So when the tidewaters came, what did you have?
19 A debris torrent? No. You just had a sluice box that
20 took everything out of the stream; it took the large,
21 woody materials that were on the banks, if it could get to
22 it. It took all of the sand, the silt, the rocks. It
23 just took it down to bedrock.

24 Now, they want to take and do the restoration,
25 which I think is a noble cause. But when they do it, are

1 they going to do it right? When we were asked once to do
2 it one way, it was not appropriate. Now, they're going to
3 ask again, for \$100 million. We have a lot of data on
4 restoration. We do not have a lot of data on ocean
5 currents and where do the salmon go when they are in
6 saltwater? \$100 million will go a long ways in terms of
7 research in oceanography. Where are the salmon going?
8 What is affecting the salmon?

9 Let's say that this is the ocean. We have three
10 five-mile-long nets in the water. And what are they
11 catching? Salmon. Let's say we go over to the government
12 locks. We have predators of salmon, urschel. And urschel
13 is basically hungry and is feeding. If we take one
14 five-mile net out, we won't have to shoot urschel. One
15 five-mile net, and all of the urschels that are going to
16 visit that particular lock in the next ten years probably
17 could be fed with one five-mile net.

18 So I look at where the jobs have been going in
19 terms of oceanography. There aren't any. The University
20 of Washington in the last three years, if they've employed
21 ten oceanographers, I'd be surprised. They're not there.
22 The jobs aren't there. Why aren't they there? \$100
23 million is going to go towards the study and the
24 restoration of one stream that we already know that it has
25 problems. We already know that some of the habitat has

1 been destroyed.

2 And what do we have up here? We have a dam.
3 Are they going to pull that dam out? No. You people
4 drink that water. That is a public resource; that will
5 stay. We have enough trouble trying to remove any dams.
6 Do not expect to see that. They need this for flood
7 control, because we live in the Riparian zones. And I
8 heard that one of these gentlemen have otters. That is
9 great. The whole Auburn Valley used to have otters, used
10 to have bears, used to have deer. When was the last time
11 you saw a deer down here? When is the last time you saw a
12 bear down here? You won't, primarily because we're
13 infesting the Riparian zones.

14 The logging operations in the Pacific Northwest
15 have been hammered on Riparian zones. We stay out of
16 them. We do not want to be there. What are we building
17 in Auburn? You go from Puyallup to Auburn, look on the
18 west side. Freeway. You notice all the dirt piled up
19 there? What do you think they're doing? That sits there
20 for one year for settlement. Then they'll pave over it
21 and they'll put a storage center or some sort of complex.
22 You're in a Riparian zone.

23 Emerald Downs. How do you think Emerald Downs
24 got placed where it's at? There was enough money to fight
25 the situation to say, We will mitigate the input of the

1 Mineral Downs. What do they say by mitigation? They will
2 take and make a wetlands somewhere else to mitigate the
3 fact that the prime areas for habitat is in those Riparian
4 zones, and they set Emerald Downs in the middle of the
5 Riparian zones. That was a duck haven.

6 One of the things I would like to see in
7 completion here is an Alternative No. 4. You have a
8 no-action, species-specific, and multiple species. What
9 about another alternative such as, let's put the money
10 where we'll find out more about returning these salmon to
11 our streams? The logging operations have cleaned their
12 acts up. Roads created tremendous amounts of problems in
13 these areas. The sediment that has developed in our
14 streams are the roads, period.

15 Now, if we would spend this money to study where
16 these salmon are going in our oceans, if El Nino has an
17 effect in redirecting these salmon, we will have an
18 opportunity to say, we can get these salmon back. We will
19 spend our money with a greater effect. We will get a lot
20 more information with \$100 million to say, We can get
21 these salmon back in the river.

22 Are we trying to make habitat for a grizzly bear
23 down here? Are we trying to make habitat for a duck?
24 We're trying to make habitat for salmon. Now, if we want
25 our money's worth, let's put it where it will work. I can

1 guarantee you that \$100 million -- and we have a major
2 flood -- you're going to lose a large portion of your
3 hundred million. I've seen it several times.

4 I would think that that Option 4 would be a
5 better place to put \$100 million. Thanks.

6 COL. CONTE: James Britain?

7 MR. BRITAIN: My name is James Britain. My
8 address is 17718 SE Green Valley Road.

9 What I'm here to talk about is Burnes Creek. I
10 live on Burnes Creek; it goes through my front yard. And
11 in the last nine years, me and some of my neighbors have
12 kind of had a problem with erosion, which has happened on
13 the hillside on a stream that goes into Burnes Creek. Our
14 hands are tied, because it's not on our property and this
15 and that.

16 But my concern is that me and my neighbors have
17 bridges in our front yards. And what happens is when all
18 this dirt comes down the hill and goes into Burnes Creek,
19 it plugs our bridges up. A neighbor upstream from me has
20 got a basement that's about four feet full of water right
21 now because of the dirt that came down off the hill and
22 plugged Burnes Creek up. And the County built a retention
23 wall behind our house to keep the water out so they can
24 pump it out. Well, that wall itself is about two feet
25 underwater right now.

1 The salmon run in the lower part of Burnes Creek
2 is being affected because, instead of having gravel that
3 the salmon can spawn in, there's like clay and mud and
4 sand. And the neighbors have pretty much been -- we've
5 been getting permits and dredging the creek out like twice
6 a year for like the last, what, three years now? And it
7 seems to just be getting worse. Nobody really wants to
8 believe that there's a problem there.

9 But I was reading in some of the pamphlets here
10 that said Burnes Creek was like the second best spawning
11 stream in the Green. And right now -- I've lived out
12 there for quite awhile. Right now it perks up probably
13 two and three feet higher than it originally was. They
14 don't want you to dig it out. They don't want you to mess
15 around with it. But what happens when it takes your
16 bridge out? Because my neighbor upstream from me, their
17 bridge is sitting on a pile of rock and the water is going
18 around both ends of it.

19 So I was just wondering. I'm just up here to
20 say to some of these people, like the Corps of Engineers
21 and stuff, it probably would be a good idea to come on out
22 and take a look and see what's going on out there. And I
23 don't know the solution to the problem. But I can sure
24 take you for a walk and show you what's going on. And the
25 salmon are still running up in there. And the only place

1 where they can really spawn is above this dirt sand mess
2 that's going on up there.

3 I appreciate the chance to come up here and say
4 what's going on in my front yard, anyway.

5 COL. CONTE: Thanks, James.

6 I don't have anyone else listed to testify. Is
7 there anyone that I missed or anyone who would like to
8 testify tonight?

9 Well, that concludes the formal portion.

10

11 (END OF PROCEEDINGS.)

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